



**Senate Bill No. 789**

**Public Act No. 09-142**

**AN ACT CONCERNING THE SHARING OF INFORMATION  
BETWEEN THE DEPARTMENT OF CHILDREN AND FAMILIES AND  
THE DEPARTMENT OF DEVELOPMENTAL SERVICES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (g) of section 17a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) When the commissioner or his designee determines it to be in a person's best interest, the commissioner or his designee may disclose records, whether or not created by the department and not otherwise privileged or confidential communications under state or federal law, without the consent of a person to:

(1) Multidisciplinary teams which are formed to assist the department in investigation, evaluation or treatment of child abuse and neglect cases or a multidisciplinary provider of professional treatment services under contract with the department for a child referred to the provider;

(2) Any agency in another state which is responsible for investigating or protecting against child abuse or neglect for the purpose of investigating a child abuse case;

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(3) An individual, including a physician, authorized pursuant to section 17a-101f to place a child in protective custody if such individual has before him a child whom he reasonably suspects may be a victim of abuse or neglect and such individual requires the information in a record in order to determine whether to place the child in protective custody;

(4) An individual or public or private agency responsible for a person's care or custody and authorized by the department to diagnose, care for, treat or supervise a child who is the subject of a record of child abuse or neglect or a public or private agency responsible for a person's education for a purpose related to the individual's or agency's responsibilities;

(5) The Attorney General or any assistant attorney general providing legal counsel for the department;

(6) Individuals or public or private agencies engaged in medical, psychological or psychiatric diagnosis or treatment of a person perpetrating the abuse or who is unwilling or unable to protect the child from abuse or neglect when the commissioner or his designee determines that the disclosure is needed to accomplish the objectives of diagnosis or treatment;

(7) A person who reports child abuse pursuant to sections 17a-101a to 17a-101c, inclusive, and section 17a-103, who made a report of abuse involving the subject child, provided the information disclosed is limited to (A) the status of the investigation and (B) in general terms, any action taken by the department;

(8) An individual conducting bona fide research, provided no information identifying the subjects of records shall be disclosed unless (A) such information is essential to the purpose of the research; (B) each person identified in a record or his authorized representative

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has authorized such disclosure in writing; and (C) the department has given written approval;

(9) The Auditors of Public Accounts or their representative, provided no information identifying the subjects of the records shall be disclosed unless such information is essential to an audit conducted pursuant to section 2-90;

(10) The Department of Social Services, provided the information disclosed is necessary to promote the health, safety and welfare of the child;

(11) A judge of the Superior Court for purposes of determining the appropriate disposition of a child convicted as delinquent or a child who is a member of a family with service needs; [and]

(12) The superintendents, or their designees, of state-operated facilities within the department; and

(13) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child, who is a client of said department but who is not yet participating in said department's voluntary services program. Records provided pursuant to this subdivision shall be limited to a written summary of any investigation conducted by the Department of Children and Families pursuant to section 17a-101g. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services voluntary services program, said department shall notify such parent or guardian that records specified in this subdivision may be provided by the Department of Children and Families to the Department of Developmental Services without the consent of such parent or guardian.

Approved June 25, 2009